

UNITED STATES DISTRICT COURT

for the

Middle District of North Carolina

United States of America

v.

JORGE OMAR NAVARRO

Case No. 1:21-mj-117

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 31, 2021 in the county of Durham in the
Middle District of North Carolina, the defendant(s) violated:

*Code Section**Offense Description*

21 U.S.C. § 841(a)(1)

Possession with Intent to Distribute Cocaine

18 U.S.C. § 924(c)(1)(A)(i)

Possession of a Firearm in Furtherance of a Drug Trafficking Offense

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.

On this day, the applicant appeared before me via reliable electronic means, that is by telephone, was placed under oath, and attested to the contents of this Criminal Complaint and attached affidavit in accordance with the requirements of Fed. R. Crim. P. 4.1.

Date: 04/01/2021City and state: Greensboro, North Carolina/s/Thomas Thrall*Complainant's signature*Thomas Thrall, ATF Task Force Officer*Printed name and title**Judge's signature*L Patrick Auld, U.S. Magistrate Judge*Printed name and title*

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Thomas Thrall, Task Force Officer, with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), being duly sworn, depose and state as follows:

INTRODUCTION

1. On March 31, 2021, the Durham Police Department began an investigation into the drug activity of Jorge Omar NAVARRO, also known as Antonio Gomez Gutierrez, Cesar Morales Guerrero, and Juan Diego Martinez. This Affidavit is submitted in support of an Application for an arrest warrant, based upon a Criminal Complaint, for Jorge Omar NAVARRO for Possession with Intent to Distribute Cocaine, a Schedule II controlled substance within the meaning of 21 U.S.C § 812, in violation of 21 U.S.C. § 841(a)(1) and Possession of a Firearm in Furtherance of a Drug Trafficking Offense in violation of 18 U.S.C. § 924(c)(1)(A)(i).

2. I make this Affidavit based on information provided to me by investigators with the Durham Police Department.

3. The information contained in this Affidavit is submitted for the sole purpose of establishing probable cause for the issuance of an arrest warrant for Jorge Omar NAVARRO. As a result, this Affidavit does not contain

every fact known to me concerning this investigation.

AFFIANT BACKGROUND

4. I am a Task Force Officer with ATF and am currently assigned to the ATF Charlotte Field Division, Raleigh Resident Office. I am also a sworn law enforcement officer with the City of Durham Police Department and have been for over 18 years. Prior to being assigned as a Task Force Officer with ATF, I was assigned to the Durham Police Department's Vice-Narcotics Unit, Drug Interdiction Unit, HEAT team, Gang Resistance Unit, and Uniform Patrol Division.

5. I have completed the Police Law Institute training course on arrest, search, and seizure and have attended numerous training classes for controlled substance investigations. I have earned and received my Basic Law Enforcement Certification, my Intermediate Law Enforcement Certification, and my Advanced Law Enforcement Certification from the North Carolina Training and Standards Division. When assigned to the Uniform Patrol Division I was a certified Field Training Officer. I am certified by the State of North Carolina Training and Standards as a General Instructor with specialized certifications in Physical fitness, Driving and Rapid Deployment. I have led and taught classes in these subjects as well as Controlled Substances

and Traffic Stops

6. I have drafted or assisted in drafting more than 400 search warrants. I have conducted or assisted in numerous criminal investigations to include investigations for gambling, prostitution, fraud, forgery, larceny, assaults (simple and serious), murder, firearms or weapons, and controlled substances. I am familiar with the customary practices, procedures, tactics, and terminology used by persons engaged in the business of manufacturing, selling, and distributing controlled substances Durham, North Carolina.

FACTS ESTABLISHING PROBABLE CAUSE

7. On the morning of March 31, 2021, Durham Police Department officers responded to an apartment at 215 William Penn Plaza to investigate a disturbance and the sound of gunshots. Upon arrival, officers observed blood and three spent ammunition cartridges near the apartment. When officers knocked on the door a man answered and the officers saw a second man, Jorge Omar NAVARRO, inside the apartment. NAVARRO was covered in blood and fled. As he did, he threw money over a railing. Officers pursued and stopped NAVARRO. NAVARRO was transported to the hospital for treatment.

8. Officers performed a safety sweep of the apartment to determine whether there were other injured people. While doing so, they saw a handgun

in the living room. In the master bedroom, they saw a firearm protruding from beneath a bed and an open safe inside of an open dresser. There were fresh blood stains on the wall next to the dresser. In another room, used as a home gym, officers saw two assault-style rifles. One of the rifles appeared to have a suppresser attached to the barrel.

9. Investigators spoke with NAVARRO at the hospital. NAVARRO explained that two men came to the apartment and said that they were there to replace carbon monoxide sensors. NAVARRO escorted the men to the master bedroom. The men then drew guns and demanded money. NAVARRO reported that he was struck in the head with a gun and tied up with a cord.

10. Investigators obtained a warrant to search the apartment. During the search, they recovered a total of approximately 4,703 grams of cocaine. A field test on a small portion returned a positive result for cocaine. In the master bedroom, investigators found the following items:

- cocaine packaged in multiple kilograms inside a black duffle bag in a closet;
- a small vacuum sealed bag of cocaine on the floor near the wall that was splattered with fresh blood stains;
- multiple identification cards with NAVARRO's picture and several variations of names and dates of birth; and

- two firearms.

11. In the room used as a home gym, investigators found approximately 1,263 grams of marihuana, a ballistic vest, and an electronic money counter inside a closet.

12. In a second bedroom, investigators found tens of thousands of dollars in cash and a handgun on a bed under a blanket. They also found an electronic money counter under the bed and multiple identification cards belonging to the individual who originally answered the door when police knocked.

13. During the search of the apartment, investigators also recovered a vacuum sealer and corresponding vacuum bags, as well as discarded wrapping that matched the wrapping of the kilogram-packaged cocaine.

14. After being released from the hospital NAVARRO was escorted to the Durham Police Department and advised of his *Miranda* rights. He agreed to speak with investigators. NAVARRO said that he resided at the apartment and lived by himself. He identified the master bedroom as his. Further, he said that everything in the apartment belonged to him and explained that he had been subletting the apartment for several months.

15. NAVARRO said that he sold marihuana and had been doing so for

several years. He estimated that he had sold one to two pounds a week for the past six years. NAVARRO explained that he had guns in the apartment for his protection because he sold drugs. NAVARRO said that he owned a 9mm Berretta pistol and a 12-gauge shotgun that he bought off the street.

16. NAVARRO claimed that the men who robbed him brought the black bag that contained the multiple kilograms of cocaine into the apartment at the time of the robbery. He said that the men robbed him and left the bag in his bedroom. He said that he then moved the bag into his closet. NAVARRO said that he has been using various names and dates of birth because he believes he is wanted in Mexico for cocaine trafficking. Initially, NAVARRO identified himself to investigators as Juan Martinez.

CONCLUSION

17. Based upon the facts set out herein, I respectfully submit that there is probable cause to believe that Jorge Omar NAVARRO Possessed with Intent to Distribute Cocaine, a Schedule II controlled substance within the meaning of 21 U.S.C § 812, in violation of 21 U.S.C. § 841(a)(1).

Respectfully submitted,

/s/Thomas Thrall
Thomas Thrall, Task Force Officer
Bureau of Alcohol, Tobacco, Firearms and Explosives

Dated: April 1, 2021

Pursuant to Rule 4.1 of the Federal Rules of Criminal Procedure, the affiant appeared before me via reliable electronic means (telephone), was placed under oath, and attested to the contents of this written affidavit.



L. Patrick Auld
United States Magistrate Judge
Middle District of North Carolina